

Board of Public Works
May 12, 2010

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 12th day of May 2010, in the Public Assembly Room of the City County Building. Chair David Sherman called the meeting to order at 1:00 p.m.

Board members in attendance were: David Sherman Robert Parrin Kenneth Hughes
Tony Samuel Dorothy Henry Cassie Stockamp

Absent: Dennis Rosebrough

Staff in attendance were:

Larry Jones Mike Smith Nicole Kelsey
Jeff Sirmin Doris Watts Dennis Papenmeier
Bob Masbaum Mark McCabe Jim Little
Monica Ferguson LeAnnette Pierce

ITEM # 1 – APPROVAL OF MINUTES

Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 4-0 to approve and accept Board Minutes from March 24, 2010; with Ms. Henry abstaining.

ITEM # 2 – BID AWARDS

- a. CW-10-003; Indy Access Curbs and Sidewalks
\$225,780.00 – Artistic Construction Co., Inc.

Staff recommended that the Board of Public Works find the bid of E&J Concrete, Inc., non-responsive, and further to award Project No. CW-10-003, Indy Access Curbs and Sidewalks to Artistic Construction Co, Inc., in the not to exceed amount of \$225,780.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for construction of this project is \$333,733.00 and the percentage between the low bid and the engineer's estimate is 32.4%. This project repairs and replaces curbs, sidewalks and ramps in Center and Washington Townships. Mr. Parrin asked if this was the first contract that E&J ever had with the city. Mr. Smith replied no, that E&J has bid with the city in the past. Mr. Parrin asked if there was a qualified suppliers list where financial statements could be on file to minimize paper work while going through the bidding process. Mr. Smith replied that bidders are required to supply updated financial reports on every bid that they submit. He stated that there is a pre-board meeting where these procedures are talked about. Mr. Parrin replied that his suggestion with repeated bidders; is that staff would store additional documents, like financial statements from the prior year, so that staff would not have to go through the procedure process for every bid. Mr. Smith replied that he will speak to legal about it. Upon a motion by Mr. Hughes, seconded by Ms. Henry, the Board voted 5-0 to approve the Indy Access Curbs and Sidewalks Project.

Director Sherman asked Ms. Watts if anyone told her that the median on Madison Boulevard coming in from Manuel High School to Morris Street needs some work. Ms. Watts replied yes. Director Sherman stated that he would like to see the work done by next week because someone could get hurt.

- b. Hot Mixed Asphalt Material
\$656,000.00 – Rieth-Riley Construction

Staff recommended that the Board of Public Works reject as immaterial the additional requirements set out in the three addenda created by the Purchasing Division and approve and authorize the director to enter into a contract with Rieth-Riley Construction Company, the lowest responsive and responsible bidder, for the purchase of Hot Mix Asphalt Materials as set in the original bid documents for a one year term and an estimated expenditure of \$656,000.00. This agreement allows the Department to purchase three variations of hot mix asphalt-surface, intermediate and base course. The DPW operations staff will use these materials for pothole patching, strip-patching and other necessary repairs to streets in Marion County. Mr. Hughes asked about the addendums being in the bid packets. Ms. Watts replied they were not included in the bid packets to start with; however, the addendums were sent later. Mr. Parrin stated that he did not receive a bid tab in his packet; and asked if Rieth-Riley was the lowest dollar bidder. Ms. Watts replied yes. Upon a motion by Ms. Henry, seconded by Mr. Hughes, the Board voted 5-0 to approve the Hot Mixed Asphalt Material Contract.

- c. Vegetation Control Services and Median Mowing
\$75,000.00 – First Class Landscaping
\$105,000.00 – Warren Lawn Care

Staff recommended that the Board of Public Works reject all bids received in response to ITB007629 for roadside mowing services, and recommend the Board to approve and authorize the Director to execute contracts for Vegetation Control Services with First Class Landscaping and Median Mowing Service with Warren Lawn Care, the lowest responsive and responsible bidders for a three year term. These contracts are for median mowing and vegetation (or weed) control services throughout Marion County. Director Sherman asked by awarding a portion of this service, how would it impact our performance from now to the end of the year. Ms. Watts replied that all of the current contractors are on contract until June 1; the median mowing should be completed by the end of May; the road side mowing should be completed by the end of June; but staff extended their contract for an additional month, so that the road side and median services are covered. Director Sherman asked about the firm that is responsible for doing the work right now. Ms. Watts replied First Class is mowing all of the road side, and American Eagle is mowing the medians. Director Sherman asked if it is First Class Landscaping that was not getting the work done. Ms. Watt replied that the rain plays a big part of their duties. Director Sherman replied that those days were dry. He stated that he wanted First Class to be notified that they need to be working on time or their contract would not be renewed. Director Sherman asked if he had to renew this contract to be ready in June. Ms. Watts replied that this contract is not the road side contract. Director Sherman stated for the record he would like for Ms. Watts to notify First Class, and let them know that their performances for this year and last has not been where it should be; and that staff needs to be looking for other vendors in this area. Ms. Henry asked if Road Lawn Care was the same as Warren Construction Management. Ms. Watts replied yes. Ms. Henry asked that it be noted in the record. Upon a motion by Mr. Parrin, seconded by Mr. Hughes, the Board voted 5-0 to approve the contracts for Vegetation Control Services and Median Mowing agreements.

ITEM # 3 – CHANGE ORDERS

- a. WT-01-074C, C/O No. 1; Electrical Upgrades at Belmont and Southport Advanced Wastewater Treatment Plants
\$55,703.00 – Ermco, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 for Ermco, Inc., in the increased amount of \$55,703.00 for a new contract total of \$6,804,703.00 and no increase of calendar days for Project No. WT-01-074C, Electrical Upgrades at Belmont and Southport Advanced Wastewater Treatment Plants. This project is SRF funded and provides for the Tox-Drop buildings main electric service and metering, and 208 VAC power to new electrically operated overhead door. Upon a motion by Mr. Parrin, seconded by Mr. Samuel, the Board voted 5-0 to approve Change Order No. 1 for the Electrical Upgrades at Belmont and Southport Advanced Wastewater Treatment Plants Project.

- b. SD-00-041, C/O No. 1; 2009 County Wide Drainage Improvements
\$13,181.69 – Fox Contractors

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 to Fox Contractors, in the increased amount of \$13,181.69 for a new contract total not to exceed \$213,120.19 and an increase of 3 calendar days for Project No. SD-00-041, 2009 County Wide Drainage Improvements. This change order changes the water quality unit to better fit the project and adds pipe to provide additional cover over utilities. Ms. Henry asked about the insufficient spacing and the other related errors that occurred on this project. Mr. Masbaum stated that staff provided the contractor with a flow rate, of what they anticipated the flow rate to be, and then there is a list with acceptable products that could be used at the particular flow rate. He stated that the contractor submitted the first unit because it was one of the approved ones; however, due to the design being on a fast track, staff did not catch the fact that the right of way in the area was a lot smaller than staff thought it was. So, as opposed to taking the time, and the expenses of purchasing the right a way, staff thought it would be more expedient to go with a smaller size unit, so that is the reason why it cost a little more money. Ms. Henry asked if there would be a deduction on this contract. Mr. Masbaum replied that staff does not anticipate going back to the designer at this time. Director Sherman mentioned that this was a drainage issue that staff looked at when he first came on board; and that staff was trying to look at places that staff could make quick changes that would eliminate flooding. Upon a motion by Ms. Henry, seconded by Mr. Samuel, Board voted 5-0 to approve Change Order No. 1 for the 2009 County Wide Drainage Improvements Project.

Director Sherman welcomed Ms. Stockamp to the Board meeting at 1:24.

- c. SD-00-040A, C/O No. 2; 2008 Miscellaneous County Wide Stormwater Improvements
\$4,423.16 – Calumet Civil Contractors, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 for Calumet Civil Contractors, Inc., in the increased amount of \$4,423.16 for a new contract total not to exceed \$178,514.50 and an increase of 369 calendar days for Project No. SD-00-040A, 2008 Miscellaneous County Wide Stormwater Improvements. This change order consists of including a concrete modular block retaining wall and rip-rap, purchasing additional drivable grass muffins for maintenance purposes, and balancing planned quantities with field placed quantities. Mr. Parrin asked if by the end of the day the additional cost for the city would be around \$4,000. Mr. Smith replied yes. Upon a motion by Mr. Parrin, seconded by Ms. Henry, the Board voted 6-0 to approve Change Order No. 2 for the 2008 Miscellaneous County Wide Stormwater Improvements.

- d. BL-10-069D/SD-10-019, C/O No. 5; Fox Hill/Hoover Septic Tank Elimination Project/59th and Lieber Storm Water
\$98,357.21 – Tramco, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 5 for Tramco, Inc., in the increased amount of \$98,357.21 for a new contract total not to exceed \$3,647,254.28 and no increase of calendar days for Project No. BL-10-069D/SD-10-019, Fox Hill/Hoover Septic Tank Elimination Project/59th and Lieber Storm Water. On this change order, there are items increased due to inadequate quantities in the original bid. There is a reduction in traffic control, and a correction in castings from solid lids to open grates. Upon a motion by Mr. Hughes, seconded by Ms. Stockamp, the Board voted 6-0 to approve Change Order No. 5 for the Fox Hill/Hoover Septic Tank Elimination Project/59th and Lieber Storm Water Project.

- e. RS-09-020, C/O No. 5; Resurfacing with Related Items in Pike and Wayne Townships
\$0.00 – Rieth-Riley Construction Co, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 5 for Rieth-Riley Construction Co, Inc., in the unchanged contract total not to exceed \$1,887,310.99 and an increase of 275 calendar days for Project No. RS-09-020, Resurfacing with Related Items in Pike and Wayne Townships. This change order increases the days for cracksealing in order for Rieth-Riley to complete the work in cooler weather. Upon a motion by Ms. Henry, seconded by Mr. Parrin, the Board voted 6-0 to approve Change Order No. 5 for the Resurfacing with Related Items in Pike and Wayne Townships Project.

The Chair diverted from the standard agenda to hear Item 7.

ITEM # 7 – RESOLUTION

Resolution No. 25, 2010; a Resolution Approving and Certifying Liens Against Properties for Non-Payment of Delinquent Sewer Fees and Penalties

Staff recommended that the Board of Public Works approve and adopt Resolution No. 25, 2010, a Resolution Approving and Certifying Liens Against Properties for Non-Payment of Delinquent Sewer Fees and Penalties. On April 12, 2010, the requests for payment and notice of intent to lien were mailed to approximately 17,754 owners of property where delinquent sewer fees and penalties existed. The minimum amount liened is \$11.00 including penalties. Upon certification of the liens, the Marion County Treasurer assumes the obligation to collect the assessments, in addition to taxes due. If the amounts liened are not paid within two years of the date they were assessed, the property can be sold at tax sale and the liens would be included in the purchase price. The lien attaches to the property incurring the cost and, must be paid prior to the property being sold or transferred. Mr. Parrin stated that the Board appreciated not receiving all the paper for the seventeen thousand items; however, he would like to see the ten pages of the top declining balances, and the total amounts that is owed to the city. Mr. McCabe replied okay, that he would talk with legal. Director Sherman asked if these are payments of sewer service fees. Mr. McCabe replied that is correct. Ms. Henry stated that it would also be helpful to see the repeated offenders with more than one property grouped together with their delinquent amounts.

Director Sherman stated that the majority are repeated offenders. He stated that if the IRC and the City County approve the transfer of the sanitary business, this sewer service will be gone. Upon a motion by Mr. Hughes, seconded by Ms. Stockamp, the Board voted 6-0 to approve and adopt Board Resolution No. 25, 2010.

ITEM # 4 – FINAL CHANGE ORDER

RS-09-043, C/O No. 2/FINAL; Crack Sealing in Marion County
\$1,866.24 – Grady Brothers, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2/FINAL for Grady Brothers in the increased amount of \$1,866.24 for a new total not to exceed \$769,098.24 and no increase of calendar days for Project No. RS-09-043, Crack Sealing in Marion County, and furthermore to accept this project as final. This change order adjusts final quantities and closes the project. Director Sherman asked if staff inspected the work to see how well they did or did not do. Mr. Smith replied yes, he stated that were some difficulties where they over sanded; corrections were made for that; yet, they were very timely in their work. Upon a motion by Ms. Stockamp, seconded by Ms. Henry, the Board voted 6-0 to approve Change Order No. 2 for the Crack Sealing in Marion County Project.

ITEM # 5 – PROFESSIONAL SERVICE AGREEMENTS

- a. SS-00-066; Winchester Drive and Other Locations Small Diameter Sewer Rehabilitation
\$160,907.00 – Greeley and Hansen LLC

Staff recommended that the Board of Public Works approve and authorize the Director to execute a Professional Service Agreement between Greeley and Hansen LLC and the City of Indianapolis, for Winchester Drive and Other Locations Small Diameter Sewer Rehabilitation, Project No. SS-00-066 for an amount not to exceed \$160,907.00. The scope of work consists of the assessment of various small diameter sewers and manholes, and design engineering services to repair or rehabilitate the various small diameter sewers and manholes throughout Marion County. Upon a motion by Mr. Parrin, seconded by Ms. Henry, the Board voted 6-0 to approve the Winchester Drive and Other Locations Small Diameter Sewer Rehabilitation Agreement.

Director Sherman thanked the people from Winchester Drive.

- b. BL-38-001B; Camden/Thompson STEP Project
\$498,000.00 – American Structurepoint, Inc.

Staff recommended that the Board of Public Works approve and authorize the Director to execute a Professional Services Agreement between American Structurepoint, Inc., and the City of Indianapolis, for Project No. BL-38-001B, Camden/Thompson Septic Tank Elimination Project for an amount not to exceed \$498,000.00. The project consists of the design of sanitary sewer for the Camden/Thompson STEP project area. This sanitary sewer project will provide the Thompson and Camden Area (Perry Township, Council Districts 23 and 24, Sewer Basin 53), with new sanitary sewer mains and lateral connections, effectively eliminating approximately 230 septic tanks. Mr. Hughes asked if this was a pocket of unsewered homes. Mr. Masbaum replied yes. Upon a motion by Mr. Hughes, seconded by Mr. Parrin, the Board voted 6-0 to approve the Camden/Thompson STEP Project Agreement.

ITEM # 6 – PROFESSIONAL SERVICE AMENDMENTS

- a. ENG-09-014; On-Call Inspection Service, Amendment No. 1
\$0.00 – Beam, Longest & Neff

Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 to the Professional Service Agreement dated December 23, 2009 with Beam, Longest & Neff, LLC for Project No. ENG-09-014, On-Call Inspection Services in the unchanged not to exceed amount

of \$200,000.00. This amendment includes the addition of billable rates that include overhead and profit. Upon a motion by Mr. Parrin, seconded by Ms. Henry, the Board voted 6-0 to approve Amendment No. 1 to the On-Call Inspection Service Agreement.

Mr. Hughes asked if this was a normal over head and profit margin rate for Beam Longest & Neff. Mr. Masbaum replied yes, that it comes a little bit below the typical guidelines.

- b. SD-18-003B; Norwaldo Phase II Storm Water Improvements Project, Amendment No. 1
\$76,525.00 – AMEC Earth & Environmental

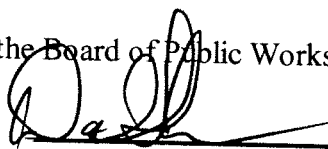
Staff recommended that the Board of Public Works approve and authorize the Director to execute Amendment No. 1 to the Professional Service Agreement dated October 29, 2008 between AMEC Earth and Environmental and the City of Indianapolis for Department of Public Works Project No. SD-18-003B for an extension of 364 calendar days and a \$76,525.00 increase in project cost for a total contract lump sum amount not to exceed \$521,293.00. This recommendation is based on the city's requested change in scope to the engineer to study the green infrastructure and the city's need to determine public opinion prior to the revised green design. Upon a motion by Ms. Stockamp, seconded by Ms. Henry, the Board voted 6-0 to approve the Amendment No. 1 to the Norwaldo Phase II Storm Water Improvements Project Agreement.

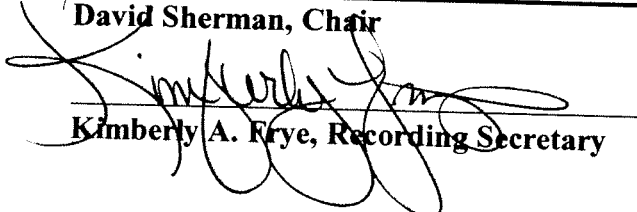
Mr. Hughes asked about the Riviera Club. Director Sherman stated that staff is still trying to work out with the attorneys how much money should or should not be paid; and thanked everyone for attending the meeting.

Mr. Parrin asked if staff could give an update on recycling. Director Sherman stated that he would prefer to update the Board within thirty days.

ITEM # 8 – OTHER BUSINESS

There being no further business the meeting of the Board of Public Works was adjourned at 1:44 p.m.



David Sherman, Chair

Kimberly A. Frye, Recording Secretary